

Letter to Congressional Leaders on Continuation of the National Emergency With Respect to Libya

January 2, 1997

Dear Mr. Speaker: (Dear Mr. President:)

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Libyan emergency is to continue in effect beyond January 7, 1997, to the *Federal Register* for publication. Similar notices have been sent annually to the Congress and the *Federal Register* since December 23, 1986. The most recent notice appeared in the *Federal Register* on January 3, 1996.

The crisis between the United States and Libya that led to the declaration of a national emergency on January 7, 1986, has not been resolved. The Government of Libya has continued its actions and policies in support of terror-

ism, despite the calls by the United Nations Security Council, in Resolutions 731 (1992), 748 (1992), and 883 (1993), that it demonstrate by concrete actions its renunciation of such terrorism. Such Libyan actions and policies pose a continuing unusual and extraordinary threat to the national security and vital foreign policy interests of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to the Government of Libya to reduce its ability to support international terrorism.

Sincerely,

WILLIAM J. CLINTON

NOTE: Identical letters were sent to Newt Gingrich, Speaker of the House of Representatives, and Albert Gore, Jr., President of the Senate. The notice is listed in Appendix D at the end of this volume.

Statement on Review of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996

January 3, 1997

Last July, I allowed title III of the Cuban Liberty and Democratic Solidarity Act (LIBERTAD Act) to come into force but suspended for 6 months the right it grants to American nationals to bring suit against foreign firms trafficking in confiscated properties in Cuba. I took this step so that we could have time to develop a more common approach with our allies and trading partners to promote democracy, human rights, and fundamental freedoms in Cuba. We and our allies agree on the vital need for a transition to democracy on the island, but differences over how to achieve that aim have

often overshadowed the goal itself. That is why I decided to make maximum use of title III to increase pressure on the Castro regime by working with our allies—not against them—to accelerate change in Cuba.

Over the past 6 months, our efforts have yielded real progress. Thanks to the tireless efforts of Under Secretary of Commerce Stuart Eizenstat, who serves as my Special Representative for the Promotion of Democracy in Cuba, the international community is more united behind the cause of freedom in Cuba than ever

before in the 38-year history of Castro's oppressive regime.

Today, in order to consolidate and build on the momentum we have generated for democratic change in Cuba, I have decided to extend for another 6 months the suspension of the right to file suit under title III of the Cuban Liberty and Democratic Solidarity Act.

A number of developments show the strengthened international consensus for change in Cuba. The European Union, acting consistent with its traditional democratic values, in December adopted an historic "Common Position" binding all 15 member nations to promote democracy and reform in Cuba. The EU's action explicitly makes any improvement in political or economic relations with Cuba contingent on concrete advances in human rights and political freedoms on the island. At the Ibero-American Summit in Santiago in November, heads of state from Latin America, Spain, and Portugal called for democracy and full respect for human rights, thus emphasizing Cuba's isolation as the hemisphere's only nondemocratic nation.

Governments and nongovernmental organizations are increasing their backing for dissidents on the island and keeping international attention focused on repression in Cuba. A new European Platform for Human Rights and Democracy in Cuba is being created to help coordinate NGO activity to strengthen independent groups in Cuba. European business leaders and organizations are supporting a set of best business practices so, if they invest in Cuba, it will benefit Cuban workers and not the government. Eu-

rope's major labor organization, the International Confederation of Free Trade Unions, has strongly condemned Castro's labor practices and called for free trade unions.

These and other steps have sent a clarion message of hope to the Cuban people. They underscore that it is Castro who is isolated, not those who welcome the democratic tide of history. They demonstrate the international community's resolve to end the dictatorship so the people of Cuba can enjoy the freedom and prosperity they deserve.

The international momentum we have built to promote democracy in Cuba must be preserved and strengthened. During the coming 6 months and thereafter, we will continue working with our allies to develop the most comprehensive, effective measures to promote democracy in Cuba that we can. We also will continue to enforce title IV of the LIBERTAD Act.

The law requires that I review title III every 6 months. I would expect to continue suspending the right to file suit so long as America's friends and allies continue their stepped-up efforts to promote a transition to democracy in Cuba. I hope, furthermore, that the momentum created by the EU's actions will lead to similar Cuba democracy efforts by others, including governments in our own hemisphere.

The Cuban people have lived under tyranny for too long. We must sustain our efforts to hasten the arrival of democracy in Cuba. As a result of increasing international pressure, we have never been closer to that day. We will not be satisfied until that day arrives.

Letter to Congressional Leaders on Review of Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996

January 3, 1997

Dear _____:

Pursuant to subsection 306(c)(2) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), (the "Act"), I hereby determine and report to the Congress that suspension for 6 months beyond February 1, 1997, of the right to bring an action under Title III of the Act is necessary to the national interests of the United States and will expedite a transition to democracy in Cuba.

Sincerely,

WILLIAM J. CLINTON

NOTE: Identical letters were sent to Jesse Helms, chairman, and Claiborne Pell, ranking member, Senate Committee on Foreign Relations; Mark O. Hatfield, chairman, and Robert C. Byrd, ranking member, Senate Committee on Appropriations;